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10
11 UNITED STATES DISTRICT COURT - NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 AVEMCO INSURANCE COMPANY,

14 CASE NO.: 4:11-cv-00546-CW

15 Plaintiff.

16 vs.
17 **STIPULATION AND [PROPOSED]
18 ORDER REGARDING MEDIATION
19 DEADLINE FOR DECLARATORY
20 ACTION**

21 ROBERT S. SAVELY, PATRIOT
22 TECHNOLOGIES GROUP, LLC, a Delaware
23 limited liability corporation,

24 Defendants.

25 /

26 IT IS HEREBY STIPULATED by and between Plaintiff AVEMCO INSURANCE
27 COMPANY (hereinafter "Plaintiff" or "AVEMCO") and Defendant ROBERT S. SAVELY
28 (hereinafter "SAVELY") (collectively the "Parties") by and through their respective attorneys, as
follows:

1. On February 4, 2011 Plaintiff filed a Complaint for Declaratory Relief in United
States District Court-Northern District of California, Case Number CV 11 0546 CW (hereinafter
the "Complaint") against PATRIOT TECHNOLOGIES GROUP, LLC (hereinafter "PATRIOT")

29
30 STIPULATION AND [PROPOSED] ORDER REGARDING
31 MEDIATION DEADLINE IN DECLARATORY ACTION

1 and SAVELY. The Complaint asked that the Court to determine the respective rights and duties
2 of Plaintiff and Defendants as to AVEMCO policy NC-100118290600.

3 2. On April 13, 2011 Defendant PATRIOT signed a Stipulation Regarding
4 Declaratory Action, wherein it stipulated to the allegations in Plaintiff's Complaint and
5 stipulated that it had no rights under the Avemco policy. On April 15, 2011, Plaintiff filed a
6 Notice of Dismissal of PATRIOT, only.

7 3. On May 31, 2011, the Parties attended a Case Management Conference. The
8 Court issued its Minute Order and Case Management Order.

9 4. The Court referred the case to Court-connected mediation to be held by December
10 1, 2011.

11 5. The Parties are presently engaged in discovery and require additional time to
12 prepare for and attend mediation.

13 6. Based on the above, the Parties respectfully request that the Court continue the
14 deadline for mediation (currently December 1, 2011) to April 1, 2012. We have informed the
15 mediator about the extension and he has instructed us to state he has no objection to a stipulated
16 extension.

17 IT IS SO STIPULATED:

18 Dated: November 7, 2011

19 REID, AXELROD

20 By: /s/ Donald S. Honigman

21 Donald S. Honigman, SB# 106914

22 Peter Axelrod, SB# 056485

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AVEMCO INSURANCE COMPANY

Dated: November 7, 2011

THE RYAN LAW GROUP

By: /s/ Timothy J. Ryan

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ROBERT S. SAVELY

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ORDER

IT IS HEREBY ORDERED that the deadline for mediation is continued to April 1, 2012.

IT IS SO ORDERED.

DATED: 11/17/2011


CLAUDIA WILKEN
United States District Judge

cc: ADR